

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION**

**ARTHUR ROY MORRISON,  
(ID # 1492042),**

**Petitioner,**

**V.**

**No. 3:12-CV-4916-N (BH)**

**WILLIAM STEPHENS,  
Texas Department of Criminal  
Justice, Correctional Institutions Division,  
Respondent.**

**Referred to U.S. Magistrate Judge**

**ORDER OF THE COURT ON RECOMMENDATION  
REGARDING IN FORMA PAUPERIS AND CERTIFICATE OF APPEALABILITY**

Considering the record in this case and the recommendation of the Magistrate Judge, and pursuant to Federal Rule of Appellate Procedure 22(b) and 28 U.S.C. § 2253(c), the Court hereby finds and orders:


**IFP STATUS:**

- ( ) the party appealing is GRANTED *in forma pauperis* status on appeal.
- (X) the party appealing is DENIED *in forma pauperis* status on appeal for the following reasons:
- ( X ) the Court certifies, pursuant to Fed. R. App. P. 24(a) and 28 U.S.C. § 1915 (a)(3), that the appeal is not taken in good faith. In support of this finding, the Court adopts and incorporates by reference the Magistrate Judge’s Findings and Recommendations entered in this case on March 10, 2015 and March 20, 2015. Based upon the Magistrate Judge’s findings, this Court finds that the appeal presents no legal points of arguable merit and is therefore frivolous. *See Harkins v. Roberts*, 935 F. Supp. 871, 873 (S.D. Miss. 1996) (citing *Howard v. King*, 707 F.2d 215, 219-20 (5th Cir. 1983)).

**COA:**

- ( ) a Certificate of Appealability is GRANTED on the following issues: \_\_\_\_\_
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- (X) a Certificate of Appealability is DENIED. The Court hereby adopts and incorporates by reference the Findings, Conclusions and Recommendations of the United States Magistrate Judge, filed on March 10, 2015 and March 20, 2015, in support of its finding that petitioner has failed to show that reasonable jurists would find it debatable whether the Court was correct in denying the motions for relief under Rule 60(b). *See Miller-El v. Cockrell*, 537 U.S. 322, 338 (2003); *Slack v. McDaniel*, 529 U.S. 473, 483-84 (2000); 28 U.S.C. § 2253(c)(2).

**DATE:** April 17, 2015

  
UNITED STATES DISTRICT JUDGE